

UNITED STATES OF AMERICA
Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In The Matter Of:

Rules and Policies Concerning
Multiple Ownership Of Radio
Broadcast Stations In Local
Markets

MM Docket No. 01-317

Definition Of Radio Markets

MM Docket No. 00-244

**WRITTEN COMMENTS OF THE AMHERST ALLIANCE,
AMERICANS FOR RADIO DIVERSITY, ROGUE COMMUNICATION,
PALMSRADIO, BEAT RADIO, REC NETWORKS, SPRY MULTIMEDIA
GROUP, CITIZENS MEDIA CORPS/ALLSTON-BRIGHTON FREE RADIO,
WILW RADIO, JAMRAG MAGAZINE, GREEN HOUSE MAGAZINE,
VIRGINIA CENTER FOR THE PUBLIC PRESS
AND NICKOLAUS E. LEGGETT**

THE AMHERST ALLIANCE is a Net-based, nationwide citizens' advocacy group. It was founded on September 17, 1998 -- in Amherst, Massachusetts -- in order to promote a viable, meaningful Low Power Radio Service in particular and a more open mass media in general. Currently, Amherst is based in Colorado.

Amherst hereby submits Written Comments on the question of whether the Federal Communications Commission should remove its remaining restrictions on the number of radio stations a single company can own in a given local market.

Our answer is "NO" -- in the strongest possible terms.

We are joined in this "NO" by the following parties:

AMERICANS FOR RADIO DIVERSITY of Minnesota is also a citizens' advocacy group. ARD's Membership is mostly Midwestern, but it also addresses national issues.

ROGUE COMMUNICATION is a media research and consulting firm in Northern California. Aided by Amherst, Rogue was the leader in developing -- and recruiting support for -- the landmark JOINT STATEMENT ON MICRORADIO of 2000.

This Joint Statement, signed by dozens of organizations which support Low Power FM, was submitted to the FCC in Docket MM 99-25 and expressed the many points of consensus within the ideologically diverse movement for action on LPFM.

BEAT RADIO of Minnesota and PALMSRADIO of Texas are aspiring Low Power FM broadcasters, currently engaged in Internet broadcasting.

REC NETWORKS of Arizona provides detailed information for aspiring Low Power FM broadcasters through a Web Site based in metropolitan Phoenix.

CITIZENS' MEDIA CORPS/ALLSTON-BRIGHTON FREE of Massachusetts and WILW RADIO of Connecticut are energetic Part 15 broadcasters, with aspirations to become Low Power FM *or* Low Power AM broadcasters in the future.

SPRY MULTIMEDIA GROUP of Ohio produces radio-related equipment and software, notably including RADUGA station automation software, and pursues other media-related activities.

VIRGINIA CENTER FOR THE PUBLIC PRESS is a Richmond-based institution.

It is affiliated with Radio Free Richmond and THE LPFM APPLICANTS' COMMITTEE.

JAMRAG MAGAZINE covers the music scene in metropolitan Detroit, emphasizing talented but under-publicized performers. GREEN HOUSE MAGAZINE is the official publication of the Michigan Green Party. Both magazines are edited and published by Tom Ness of Ferndale, who also founded both of them.

NICKOLAUS E. LEGGETT was a Co-Petitioner in the 1997 Petition For Rulemaking which triggered FCC Docket RM-9208: the first Commission action in the chain of proceedings which ultimately led to establishment of a Low Power Radio Service. He was also a Co-Petitioner in the 2001 Petition For Rulemaking which started FCC Docket RM-10330, concerning protection against an Electromagnetic Pulse.

The Concerns Which Bring Us Together

It is no secret, to either the Commission or the Congress, that removal of past limits on media ownership has *already* led to serious negative consequences:

- **** Reduced quality of radio & TV programming
- **** Reduced variety in radio & TV programming
- **** Reduced innovation in radio & TV programming
- **** More commercials, and less programming, on radio & TV
- **** Reduced news coverage by radio stations
- **** *Greatly* reduced *local* news coverage by radio stations
- **** Reduced employment in radio & TV broadcasting
- **** Reduced opportunities for entrepreneurship & upward mobility
- **** Negative consumer response: i.e., declining radio listenership & TV viewership
- **** *And, worst of all:*
- **** Increasingly centralized control over the flow of information and ideas
in what is supposed to be a *representative* democracy

These consequences, flowing from past legislative and regulatory decisions, pose grave implications for the traditional American way of life. In and of themselves, these consequences demand corrective action.

In addition, the Federal Circuit Court for the District of Columbia has just struck down the Commission's remaining limits on the *overall* number of radio and/or TV stations a single company can own. This court decision clearly invites *greater* concentrations of media ownership in the future.

We are urging key leaders of Congress to take corrective action, by amending the underlying statutory language to void the court's decision, but at least for now these floodgates have been opened. The Commission's remaining restrictions on *local* radio stations now appear to be virtually the only floodgates that are still closed.

It would be tragic -- literally -- if these final floodgates were opened as well.

Please do not allow the current situation to grow even worse by removing this remaining limitation on concentrations of market power in the mass media. For the sake of preserving our most basic liberties, which depend upon a free flow of information and ideas, we urge the Commission to keep in place the restrictions on maximum media ownership in given local markets.

Respectfully submitted,

Don Schellhardt
Attorney for THE AMHERST ALLIANCE
Co-Petitioner, FCC Dockets RM-9208 & RM-10330
7050 Montview Boulevard
#175
Denver, Colorado 80220
(303) 871-6758
dschellhardt@student.law.du.edu

Jeremy Wilker and James Thorson
For AMERICANS FOR RADIO DIVERSITY
2355 Fairview Avenue
#156
Roseville, Minnesota 55113
james_thorson@yahoo.com
ard@radiodiversity.com

Ted M. Coopman
For ROGUE COMMUNICATION
2501 Friesland Court
Santa Cruz, California 95062
rogue@roguecom.com

Alan Freed
For BEAT RADIO
P.O. Box 3333
Minneapolis, Minnesota 55403

beatradio@beatworld.com

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William C. Doerner
For PALMSRADIO
3803 Waldron Road
Corpus Christi, Texas 78418
bdoerner@palmsradio.com

Michelle Eyre
For REC NETWORKS
P.O. Box 2408
Tempe, Arizona 85280
michelleeyre@qwest.net

William J. Spry
For SPRY MULTIMEDIA GROUP
5114 Princeton-Glendale Road
Hamilton, Ohio 45011-2415
raduga@raduga.net

Steven Provizer
For CITIZENS MEDIA CORPS/ALLSTON-BRIGHTON FREE RADIO
451 Cambridge Street
Allston, Massachusetts 02134
(617) 232-3174
improv@speakeasy.net

William C. Walker
Proprietor & General Manager
For WILW RADIO
124 Tunxis Road
West Hartford, Connecticut 06107
kwaq@peoplepc.com

Tom Ness
For JAMRAG MAGAZINE
And
For GREENHOUSE MAGAZINE
22757 Woodward Avenue
Box 20076
Ferndale, Michigan 48220
jamrag@glis.net

Christopher Maxwell
Secretary
For THE VIRGINIA CENTER FOR THE PUBLIC PRESS
1621 West Broad Street
Richmond, Virginia 23220
(804) 649-9737
WRFR@aol.com

Nickolaus E. Leggett
Co-Petitioner, FCC Dockets RM-9208 & RM-10330
1432 Northgate Square
#2A
Reston, Virginia 20190
(703) 709-0752
nleggett@earthlink.net

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